

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **AT SEATTLE**

11 UNITED STATES OF AMERICA,

NO. MJ13-112

12 Plaintiff,

13 v.

DETENTION ORDER

14 JOSEPH L. GARCIA,

15 Defendant.

16 Offense charged:

17 Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§
18 841(a)(1) and (b)(1)(B)

19 Date of Detention Hearing: March 5, 2013.

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

23 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
24 defendant is a flight risk and a danger to the community based on the nature of the pending
25 charges. Application of the presumption is appropriate in this case.

26 2. Defendant faces a very lengthy potential penalty if he is convicted.

3. Defendant has a lengthy criminal history involving drugs.

4. Defendant has significant on-going substance abuse problems.

5. According to the Assistant United States Attorney, defendant is an active gang member.

6. Defendant has had prior supervision orders revoked.

7. Defendant is associated with three social security numbers.

8. The Assistant United States Attorney proffered evidence relating to defendant's efforts to obstruct justice in a prior case.

9. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

(1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

//

//

//

1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 5th day of March, 2013.

5 
6

7 JAMES P. DONOHUE
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26